S.B.Cr.Misc. Second Bail Appl. No.5040/2006

(Krishan Lal vs. State of Rajasthan)

Date of order : November 14, 2006

HON'BLE MR.H.R.PANWAR,J.

Mr.Dron Kaushik, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.

This is second bail application. The first bail application came to be dismissed by this Court on 19.9.2005 noticing therein that witness Dhanna Ram, Vidhya Devi and Sandeep Kumar have stated against the present petitioner in their statements recorded under section 161 Cr.P.C. These witnesses have been examined by the trial court and have turned hostile and did not support the prosecution case.

Looking to the facts and circumstances of the case and the fact that the prosecution witnesses did not support the prosecution case and have turned hostile having regard to the facts and circumstances of the case and taking into account the oral arguments advanced by both the parties, I consider it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Krishan Lal

s/o Ishar Ram be released on bail in FIR No.460/2004, P.S. Sangria provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-